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REMARKS

Claims 1 – 47 are pending in this Application. No amendments have been made.

Reconsideration and further examination is respectfully requested.

Claim Rejections – 35 USC § 102

Claims 1 – 4, 6 – 9, 14 – 20, 22 – 25, 30 – 35, 37 – 39, and 44 – 47 were rejected under 35 U.S.C. 102(e) as being anticipated by Cole et al. (US 6,348,874), hereinafter Cole. This rejection is respectfully traversed.

The Applicant's exemplary claim 1 sets forth:

“A central network device for use in a power integrated local area network, the central network device comprising:

an electrochemical power source; and

a network interface configured to communicate with a plurality of member network devices and to deliver power from energy stored by the electrochemical power source to at least one selected member network device, the selected member network device being capable of accepting power over the power integrated local area network.”

The Applicant's invention thus provides a network device including its own electrochemical power source for powering other network devices. Such an arrangement is particularly convenient for providing backup power to the network devices, as is dependently claimed.

In order to establish a prima-facie case of anticipation, the cited reference must teach every element of the claim. Cole clearly fails to teach or suggest a central network device

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including an electrochemical power source. Cole mentions only that a network communication device (12) is coupled to an external power source Vs, which may be an AC or DC supply. There is no suggestion in Cole that the power source should be electromechanical, as the Applicant has claimed. In fact, prior to the Applicant's invention, it was not practical to power network devices via a central network device containing an electrochemical power source. The prior art therefore suggests no such arrangement. Because not all of the claim elements are shown by Cole, a prima-facie case of anticipation has not been established. The 102(e) rejection with regard to claims 1 – 4, 6 – 9, 14, and 15 is therefore improper and should be withdrawn.

The Applicant's independent claims 16, 17, 32, 46, and 47 contain the electrochemical power source limitation similar to that of claim 1. The 102(e) rejection with regard to claims 16 – 20, 22 – 25, 30 – 35, 37 – 39, and 44 – 47 is therefore improper and should be withdrawn.

Claim Rejections – 35 USC § 103

Claims 5, 21, and 36 were rejected under 35 U.S.C. 103(a) as being unpatentable over Cole in view of Hutchison et al (US 5,838,989), hereinafter Hutchison. This rejection is respectfully traversed.

Cole fails to teach or suggest the applicant's claimed invention for the reasons set forth above. Hutchison fails to provide any further suggestion of use of an electromechanical power source by a central network device for powering other network devices. Since Cole and Hutchison, taken either alone or in combination, fail to teach or suggest the Applicant's claimed invention, claims 5, 21, and 36 are believed allowable.

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Claims 10 – 13, 26 – 29, and 40 – 43 were rejected under 35 U.S.C. 103(a) as being unpatentable over Cole. This rejection is respectfully traversed.

Again, Cole fails to teach or suggest the applicant's claimed invention for the reasons set forth above. Hutchison fails to provide any further suggestion of use of an electromechanical power source by a central network device for powering other network devices – and in particular, Hutchison fails to teach or suggest use of a rechargeable battery as such a source. Furthermore, Cole, Hutchison, and any combination thereof clearly fail to teach or suggest use of backup power for powering network devices, as is claimed in claims 13, 29, and 43. Since Cole and Hutchison, taken either alone or in combination, fail to teach or suggest the Applicant's claimed invention, claims 10 – 13, 26 – 29, and 40 – 43 are believed allowable.

Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone the undersigned, Applicants' Attorney at 978-264-6664 so that such issues may be resolved as expeditiously as possible.

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For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,

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Date

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